

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

MICHAEL HOLMBERG,

Plaintiff,

v.

RONALD VAN BOENING, DANIEL
FITZPATRICK, PAUL DRAGO, LT. MARK
KELLER, and DEBRA LAVAGNINO.,

Defendants.

No. C10-5367 BHS/KLS

ORDER GRANTING EXTENSION AND
DIRECTING SUBMISSION OF
INFORMATION UNDER SEAL

On February 14, 2011, Plaintiff was granted leave to amend his complaint. ECF No. 16. Plaintiff was directed to provide the court with service addresses for the newly named Defendants, Lt. Mark Keller and Deba Lavagnino, on or before March 11, 2011. *Id.* Plaintiff now moves the court for an extension of time to comply with the deadline to provide service addresses. ECF No. 19. Defendants are not opposed to the requested extension. ECF No. 20.

Plaintiff advises the court that he does not have access to a telephone directory or the internet to obtain the needed service addresses. However, he has sought the assistance of the Stafford Creek Corrections Center Contract Attorney and Defendants' counsel. Neither have provided assistance. In his letter to Defendants' counsel dated February 20, 2011, Plaintiff requests whether the Attorney General's Office will accept service on behalf of the defendants or

1 provide current employment or residential addresses so that Plaintiff can comply with the court's
2 Order. ECF No. 19, p. 12.

3 The foregoing suggests that Plaintiff is diligently seeking further information to complete
4 service on the non-served defendants. If Defendants are in possession of the last known business
5 or last known home addresses of the non-served defendants, a sensible solution is that
6 Defendants submit such information to the court **under seal** so that the Clerk may attempt to
7 effect service. This solution alleviates two concerns concerning involving prisoner litigation: (1)
8 the security risks inherent in providing prisoners with addresses of people formerly employed by
9 the state; and (2) the reality of prisoners getting the "runaround" when they are attempting to
10 access information through the government. *Sellers v. United States*, 902 F.2d 598, 603 (7th Cir.
11 1990).

12
13 Accordingly, it is **ORDERED**:

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15 (1) Plaintiff's motion for an extension of time (ECF No. 19) is **GRANTED**. Plaintiff
16 shall provide service information for Mark Keller and Debra Lavagnino by **April 15, 2011**.

17 (2) If Defendants are in possession of the last known business or last known home
18 addresses of Mark Keller and Debra Lavagnino, they shall submit such addresses to the Court
19 **under seal on or before April 15, 2011**.

20
21 **DATED** this 17th day of March, 2011.

22
23 
24 Karen L. Strombom
25 United States Magistrate Judge
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